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VIA ECF

Honorable Paul A. Engelmayer
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Fitzpatrick and Caputo, v. Boston Market Corp.*, 21 CV 9618 (PAE)

Dear Judge Engelmayer:

We represent Plaintiffs in the above-referenced matter. We write to respectfully inform the Court that Defendant has not opposed Plaintiffs' May 2, 2022 motion for class certification and, thus, we respectfully request that the Court grant that motion as it is unopposed. In fact, Defendant's opposition to the motion was originally due June 1, 2022 (dkt. no. 26). One day before the opposition was due, Defendant requested and was granted a three-week extension to file, until June 22, 2022. (Dkt. no. 34.). However, Defendant never file an opposition and did not request a further extension from the court (or from plaintiff's counsel). Accordingly, we respectfully request that the Court grant the motion in full.

We thank the Court for its attention to this matter.

Respectfully submitted,

JOSEPH & KIRSCHENBAUM LLP

/s/Josef Nussbaum

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cc: All Counsel of Record (via ECF)